



Customer No. 25280

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PATENT

Attorney Docket No. 5048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: DeAngelis et al.

Application No.: 09/697,858

Filed: October 27, 2000

For: Thermal Textile

Group Art Unit: 1771

Examiner: Befumo, Jenna L.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
 - after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes one of:
 - the statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
- or
- the fee of \$180.00 set forth in 37 CFR 1.17(p) (see "Fees" below).
- after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180.00 as set forth in 37 CFR 1.17(p) (see "Fees" below).

Copies of the References

- Copies of the references identified on the accompanying Form 1449, with the exception of U.S. patents and U.S. patent application publications, are enclosed herewith.
- A copy of the foreign search report is enclosed herewith. The submission of the foreign search report does not constitute an admission regarding the relevance of the cited documents or the propriety of the analysis set forth therein. The right is expressly reserved to argue the lack of relevance of the cited documents or the impropriety of the analysis set forth therein.

Statement under 37 CFR 1.97(e)

- The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

- The undersigned hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Fees

- No fee is owed by the applicant(s).
 The IDS Fee of \$180.00 under 37 CFR 1.17(p) is enclosed herewith.

Authorization to Charge Additional Fees Due

- If any additional fees are owed in connection with this communication, please charge Deposit Account No. 04-0500. (If submitted via first class mail or as "Express Mail Post Office to Addressee," a duplicate copy of this communication is enclosed for this purpose.)

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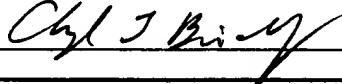
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Certificate of Mailing Under 37 CFR §1.8

I hereby certify that this correspondence, along with all documents referred to as being enclosed herewith, is being deposited with the United States Postal Service on February 15, 2006, as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450."

Name: Cheryl J Brickey

Signature: 



***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FEDERAL TRADES MARK OFFICE U.S. PATENT & TRADEMARK OFFICE Form PTO-1449 (Modified)		Serial No.: 09/697,858	Filing Date: October 27, 2000
INFORMATION DISCLOSURE STATEMENT IN A PATENT APPLICATION		Inventor(s): DeAngelis et al.	
		Group Art Unit: 1771	Examiner: Befumo, Jenna L.
Sheet <u>2</u> of <u>2</u> .		US PTO Customer No: 25280	Case No.: 5048
OTHER DOCUMENTS			
EXAMINER INITIALS	IDENTIFIER	INCLUDE: AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.	
	AC	European Patent Office; International Search Report for PCT/US01/45497, 02 January 2006	
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